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12 Apple Inc.

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16
17 COREPHOTONICS, LTD.

Case No. 3:17-cv-06457-JD (lead case)
Case No. 5:18-cv-02555-JD

18 Plaintiff,

**DECLARATION OF LOWELL MEAD IN
SUPPORT DEFENDANT'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

19 vs.

20 APPLE INC.

21 Defendant.

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28 Case No. 3:17-cv-06457-JD (lead case)
Case No. 5:18-cv-02555-JD

**MEAD DECL. ISO DEF. ADMIN
MOTION TO FILE UNDER SEAL**

1 I, Lowell Mead, declare:

2 1. I am an attorney with Cooley LLP and counsel in this action for Defendant
 3 Apple Inc. ("Apple"). I submit this declaration in support of Apple's Administrative Motion to
 4 File Under Seal.

5 2. The information sought to be sealed is narrowly tailored:

| 6 Item # | 7 Materials Sought to be Sealed | 8 Sealing Request |
|-----------------|--|--|
| 9 1 | 10 FIRST AMENDED ANSWER TO FIRST 11 AMENDED COMPLAINT - Case No. 3:17- cv-06457-JD: • page 14, lines 12-13 • pages 14-15, lines 21-14 • page 15, lines 16, 21, 22, 23-24, 28 • page 16, lines 1-2, 3-7, 8, 10-11, 16, 26-27 | 12 Narrowly tailored portions of 13 First Amended Answer describing 14 highly confidential terms and the 15 confidential identity of signatories to 16 the agreement |
| 17 2 | 18 FIRST AMENDED ANSWER TO 19 COMPLAINT FOR PATENT 20 INFRINGEMENT - Case No. 5:18-cv- 21 02555-JD: • page 11, lines 6-7, 15-28 • page 12, lines 1-8, 10, 15-18, 22-28 • page 13, lines 1-2, 4-5, 10, 20-21 | 22 Narrowly tailored portions of First 23 Amended Answer describing highly 24 confidential terms and the 25 confidential identity of signatories to 26 the agreement |

27 3. These materials contain information that was produced as and designated as
 28 "Confidential – Attorneys' Eyes Only" under the Protective Order (Dkt. 77), including based on
 third-party confidentiality.

29 4. The highly confidential and sensitive materials Apple seeks the Court's
 30 permission to file under seal relates to highly confidential information from an agreement
 31 entered into by Apple and a third party that is subject to third-party confidentiality obligations.
 32 I understand that the existence and the terms of the agreement are highly confidential and reflect
 33 sensitive business strategies and discussions.

34 5. Both compelling reasons and good cause exist to permit Apple to file the
 35 narrowly tailored requested information under seal, as public disclosure of this information
 36 would harm Apple and the third-party signatory to the agreement at issue, and such information,
 37 if revealed to the public, could be misused by competitors and adversaries to harm the

1 signatories.

2 I declare under penalty of perjury that the foregoing is true and correct. Executed on
3 December 22, 2023 in Palo Alto, CA.

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5 */s/ Lowell Mead*
6 Lowell Mead

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